

## Message Text

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21/14

ACTION EA-09

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 /056 W

----- 104852

R 200600Z NOV 75

FM AMEMBASSY TOKYO

TO AMCONGEN NAHA

USARJ CAMP ZAMA (FOR DISTRICT ENGINEER)

OKINAWA ARMY ENGINEERS

PACIFIC OCEAN DIVISION ARMY CORPS OF ENGINEERS FORT SHAFTER

SECSTATE WASHDC 4998

INFO COMUSJAPAN YOKOTA JAPAN

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C O R R E C T E D C O P Y (TEXT--PARAGRAPH 1.)

E.O. 11652: N/A

TAGS: MARR, JA

SUBJ: OKINAWA REVERSION CLAIMS

SUMMARY: EMBOFF AND OKINAWA ARMY ENGINEERS REAL ESTATE DIVISION REP (SHEEHAN) MET INFORMALLY WITH FONOFF (IMAI), DFAA (KONO), AND OKINAWA PREFECTURAL OFFICE (KAMIYAMA) REPS TO OULINE PROCEDURES FOR SETTLEMENT OF ARTICLE 4.2 (LAND COMMISSION), AND 4.3 (EX GRATIA) CLAIMS UNDER OKINAWA REVERSION AGREEMENT. GOJ REPS REPORTED GENERAL AGREEMENT WITH PROPOSED ESTABLISHMENT OF CUT-OFF DATE FOR NEW CLAIMS UNDER EX GRATIA CLAIMS PROCEDURE (ART. 4.3), BUT RAISED SEVERAL QUESTIONS ON RESIDUAL RESPONSIBILITIES UPON DISSOLUTION OF OKINAWA AREA ENGINEERS REAL ESTATE DIVISION SLATED FOR JUNE 30, 1976. ADVICE REQUESTED. END SUMMARY.

1. FONOFF REP STATED HE EXPECTED TO HAVE CLEARED SOON AFFIRMATIVE RESPONSE GOJ FOR OUR REQUEST FOR GOJ NON-OBJECTION TO ESTABLISHMENT OF JANUARY 1 CUT OFF DATE FOR NEW CLAIMS UNDER ARTICLE 4.3  
OKINAWA PREFECTURAL REPS REQUESTED THAT EXCEPTION BE MADE FOR CASES PRESENTLY PENDING BEFORE LAND CLAIMS COMMISSIONER UNDER  
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ARTICLE 4.2, WHICH CLAIMS COMMISSIONER MAY RULE ACTUALLY FALL

UNDER ARTICLE 4.3. FOR OKINAWA ADDRESSEES: REQUEST YOU PREPARE LETTER TO GOVERNOR YARA FROM APPROPRIATE AUTHORITY AS WELL AS PRESS NOTIFICATION ON CUT OFF DATE FOR PROBABLE RELEASE WITHIN NEXT WEEK. REQUEST YOU CONSIDER FORMULATION CUTTING OFF NEW CLAIMS AS OF JANUARY 1, 1976 "WITH EXCEPTION OF THOSE CASES WHICH HAVE BEEN FILED WITH AND ARE NOW BEFORE THE LAND CLAIMS COMMISSIONER". ALTERNATIVELY, REQUEST ASSURANCES THAT CLAIMS COMMISSIONER WILL DISPOSE OF ALLEGED "ELEVEN CASES" IN QUESTION BY MID DECEMBER SO THAT APPEALS MAY BE FILED PRIOR TO DEADLINE IF LAND CLAIMS COMMISSIONER SO DIRECTS. (WE HOPE RELEVANT ELEVEN CASES CAN BE IDENTIFIED BY CONTACT WITH PREFECTURAL AUTHORITIES).

2. DFAA REPS REQUESTED THAT ARRANGMENTS BE MADE FOR OKINAWAN DFAB TO HAVE ACCESS TO OR COPIES OF ARTICLE 4.3 LAND RECORDS FOR UP TO TEN YEARS TO INSURE THAT GOJ COULD RESPOND TO CLAIMANTS SHOULD FURTHER ISSUES BE RAISED. WE INDICATED CAMP ZAMA DISTRICT ENGINEER WOULD BE APPROPRIATE AUTHORITY TO DECIDE THIS MATTER, AND THAT OKINAWA ENGINEERS COULD DISCUSS THE REQUIREMENT WITH THE LOCAL DFAB.

3. PREFECTURAL REPS WERE CONCERNED THAT THE PROCEDURAL PATH FOR CLAIMANTS UNDER ARTICLE 4.2 NOT BE FORECLOSED BY THE PHASE OUT OF THE REAL ESTATE DIVISION JULY 1, 1976. WE EXPLAINED THAT THE USG PLANNED TO HEAR ALL CASES BEFORE THE LAND CLAIMS COMMISSIONER BY MARCH, 1976. UNSATISFIED CLAIMANTS WOULD HAVE THREE WEEKS TO APPEAL TO THE SECRETARY OF DEFENSE LEAVING THE REAL ESTATE DIVISION ABOUT THREE MONTHS TO COMPLETE ANY CASE WORK. NEVERTHELESS, WE WOULD ANTICIPATE THAT RESIDUAL RESPONSIBILITY WOULD DEVOLVE UPON THE OFFICE OF THE COUNSEL, PACIFIC OCEAN DIVISION, CORPS OF ENGINEERS IN HAWAII. THE OKINAWA AREA OFFICE WOULD PROBABLY ACT AS THE WINDOW OR LIAISON FOR OKINAWAN CLAIMANTS. WE PROMISED TO REFER THIS PROPOSAL TO OUR SIDE FOR CONSIDERATION.

4. GOJ REPS ALSO POINTED OUT THAT A PROCEDURE SHOULD BE AVAILABLE FOR PAYMENT OF THOSE UNDER ARTICLE 4.3 FOR WHOM LAND CLAIMS HAD BEEN VALIDATED, BUT FOR WHOM PAYMENT HAD NOT BEEN APPROVED DUE TO DEFECTIVE LAND TITLE OR EXPIRATION OF THE FAMILY. (COMMENT: WE WOULD LIKE TO EXPLORE POSSIBILITY OF TURNING OVER LIMITED OFFICIAL USE

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REMAINING VALIDATED BY UNCLAIMED AMOUNT (LESS THAN \$200,000) TO EITHER THE DFAB, OR THE PREFECTURAL GOVERNMENT FOR DISPOSITION. THIS WOULD HAVE POLITICAL AND ADMINISTRATIVE ADVANTAGES IN OKINAWA AND IN TERMS OF SETTLING ACCOUNTS IN WASHINGTON. SECSTATE COMMENTS ON FEASIBILITY REQUESTED.

5. FOR SECSTATE: WE WOULD LIKE TO DISBURSE CHECKS FOR APPROVED CLAIMS AS SOON AS POSSIBLE USING THE RESOURCES OF THE REAL

ESTATE DIVISION WHEREBY A WAIVER OF FURTHER CLAIMS CAN BE OBTAINED  
WHEN THE CHECKS ARE PRESENTED.WE ALSO RECOMMEND DEPT. GIVE  
CONSIDERATION TO PROPOSAL OF REAL ESTATE DIVISION (ENCLOSED IN  
FURNESS-DEMING LETTER OF OCTOBER 16) THAT U.S. CONSULATES  
DISBURSE PAYMENTS DIRECTLY TO CLAIMANTS IN CASE OF LESS THAN  
FIFTY RECIPIENTS LIVING OUT OF JAPAN IN ORDER THAT WAIVERS  
MAY BE OBTAINED.

6. ADDRESSEE CONCURRENCE OR COMMENTS ON THESE PROPOSALS  
IS REQUESTED.  
HODGSON

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TERRITORIAL CLAIMS  
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**Decaption Date:** 01 JAN 1960  
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**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** woolflhd  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
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**Review Authority:** woolflhd  
**Review Comment:** n/a  
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**Review Date:** 17 JUL 2003  
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Margaret P. Grafeld  
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**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** OKINAWA REVERSION CLAIMS SUMMARY: EMOFF AND OKINAWA ARMY ENGINEERS REAL ESTATE DIVISION  
**TAGS:** MARR, JA, US  
**To:** NAHA  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006